

A U S T I N C I T Y C O U N C I L

AGENDA



Thursday, June 8, 2006

 Back

**Zone Hearings/App Ordinances/Restrictive Covenants**  
**RECOMMENDATION FOR COUNCIL**  
**ACTION**

ITEM 95 PH

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**Subject:** C14-06-0057 - 4605 Manor Road - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 4605 Manor Road (Town Lake Watershed) from family residence (SF-3) district zoning to community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning. Planning Commission Recommendation: To grant community commercial-mixed use-conditional overlay-neighborhood plan (GR-MU-CO-NP) combining district zoning. Applicant and Agent: Harlan Lowe. City Staff: Robert Heil, 974-2330.

**Additional Backup Material**

(click to open)

 **Staff Report**

**For More Information: Robert Heil, 974-2330.**

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**ZONING CHANGE REVIEW SHEET****CASE:** C14-06-0057**PC. DATE:** May 23, 2006**ADDRESS:** 4605 Manor Road**OWNER/AGENT:** 4605 Church LLC (Harlan R. Lowe)**ZONING REQUEST:** From SF-3-NP to GR-MU-NP**SUMMARY STAFF RECOMMENDATION:**

Staff recommends LR-MU-CO-NP. The CO would limit trips to no more than 2000 vehicle trips per day.

**PLANNING COMMISSION RECOMMENDATION:**

May 9, 2006: Postponed to May 23, 2006 by neighborhood.

May 23, 2006: Approved GR-MU-CO with the following conditions which were offered by the applicant and neighborhood together: *[J.REDDY; D.SULLIVAN 2<sup>ND</sup>] (8-0)*  
**G.STEGEMAN – ABSENT**

- Maximum of 2,000 daily vehicle trips
- Maximum impervious cover of 85%
- Residential use of the property may not be less than 20 percent or more than 80 percent of the total building square footage
- Non-residential use of the property may not be less than 20 percent or more than 80 percent of the total building square footage
- The following uses are prohibited
  - Automotive Repair Services
  - Automotive Rental
  - Automotive Sales
  - Automotive Washing
  - Bail Bond Services
  - Community Recreation – Private
  - Community Recreation – Public
  - Drive-Through Services as an accessory use
  - Guidance Services
  - Hotel-Motel
  - Off-site accessory parking
  - Pawn Shop Services
  - Residential Treatment
  - Service Station
  - Theater

**DEPARTMENT COMMENTS:**

The neighborhood and applicant crafted a mutually agreeable conditional overlay for the property which was supported by the Planning Commission.

The site zoned family residence – neighborhood plan (SF-3-NP). The request is for community commercial – mixed use – neighborhood plan (GR-MU-NP) combining district. The site is developed with an existing church use that plans to continue leasing and using the space for the immediate future.

Staff recommends LR-MU-CO-NP. The CO would limit trips to no more than 2000 vehicle trips per day.

While Manor Road is an arterial, the property's location mid block and the fact that it is almost 2000 feet from a major intersection (East 51<sup>st</sup> St) make this site inappropriate for GR zoning

**EXISTING ZONING AND LAND USES:**

	<b>ZONING</b>	<b>LAND USES</b>
<i>Site</i>	SF-3-NP	Church
<i>North</i>	PUD SF-3-NP	Undeveloped & Single Family homes
<i>South</i>	SF-3-NP	Single Family homes
<i>East</i>	SF-3-NP	Single Family homes
<i>West</i>	PUD	Mueller Airport Site

**AREA STUDY:** The site falls within the adopted East MLK neighborhood plan. The plan calls for mixed use on the property and the zoning request would not require a plan amendment.

**TIA:** Not Required

**WATERSHED:** Tannehill Branch Creek

**DESIRED DEVELOPMENT ZONE:** Yes

**CAPITOL VIEW CORRIDOR:** No **HILL COUNTRY ROADWAY:** No

**REGISTERED NEIGHBORHOOD ORGANIZATIONS:**

- Pecan Springs – Springdale
- ANC
- Mueller Neighborhood Coalition
- Keep the Land
- PODER
- East MLK NPCT
- Anberly Airport Asn

**SCHOOLS: (AISD)**

- Jordan Elementary School
- Dobie Middle School
- LBJ High School

**ABUTTING STREETS:**

Roadway	ROW	Pavement	Classification
Manor Road	90'	44'	Arterial

- There are no existing sidewalks along Manor Road adjacent to the subject tract.
- Manor Road is not classified in the Bicycle Plan.
- Capital Metro bus service is available along Manor Road.

**CITY COUNCIL DATE:    ACTION:.**

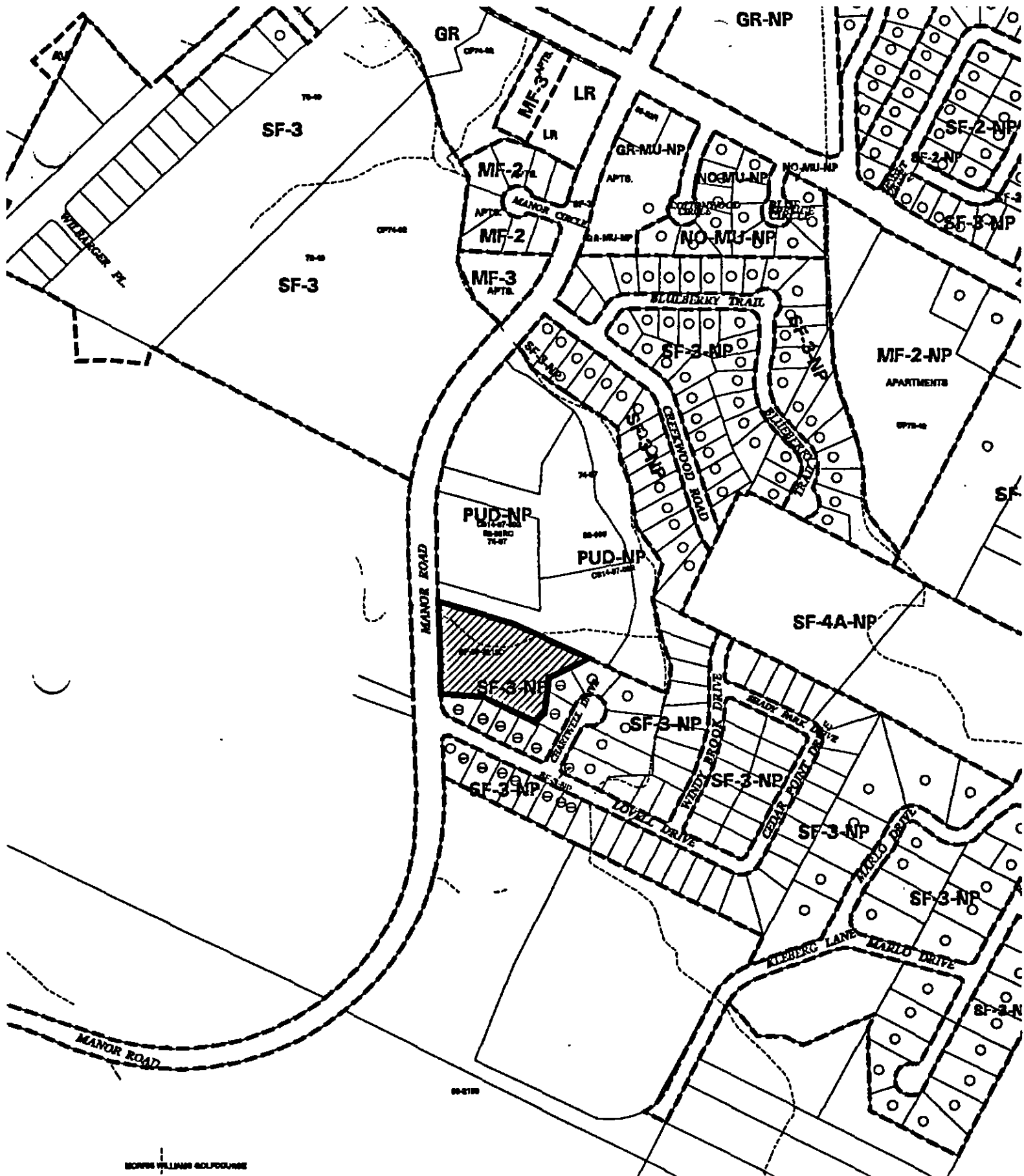
**June 8, 2006:**

**ORDINANCE READINGS:**      1<sup>st</sup>:                          2nd                          3rd





**ORDINANCE NUMBER:**

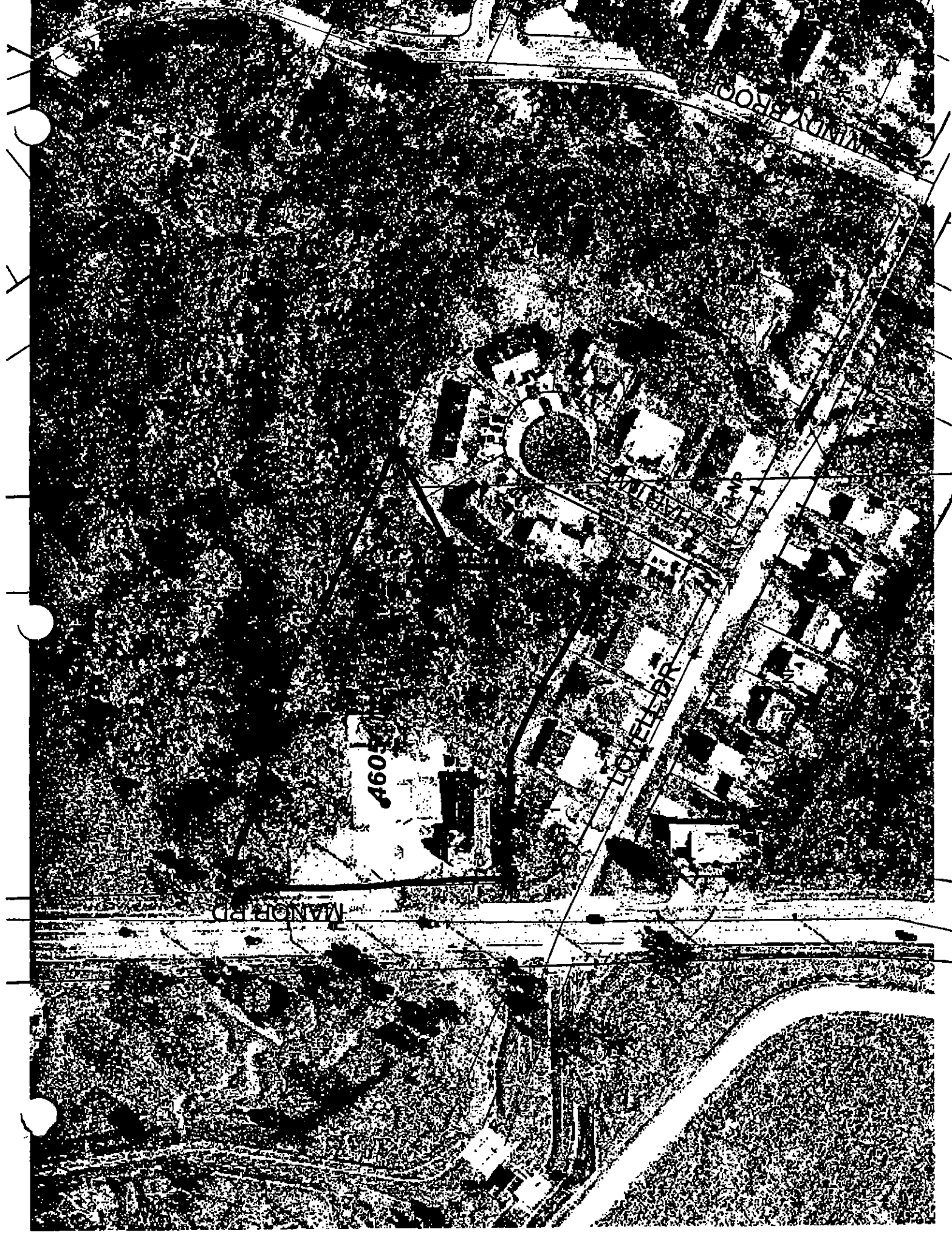
**CASE MANAGER:** Robert Heil  
e-mail address: robert.heil@ci.austin.tx.us

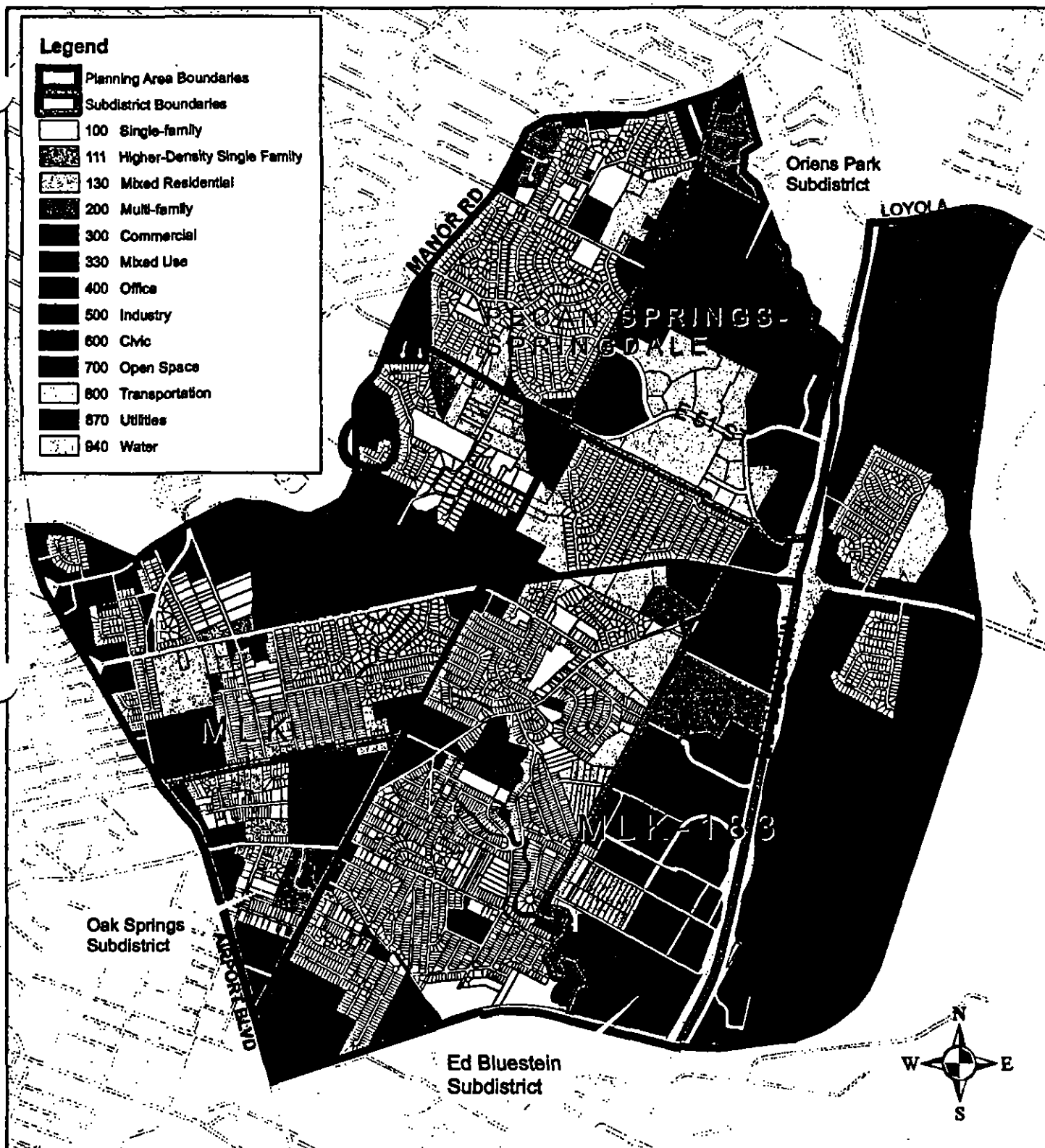
**PHONE: 974-2330**



BOWEN WILLIAMS GOLDFORD

 <b>SUBJECT TRACT</b> <b>PENDING CASE</b> <b>ZONING BOUNDARY</b> <b>CASE MGR: R.HEIL</b> <b>1" = 400'</b>	<div style="display: flex; justify-content: space-between;"> <div>      </div> <div> <b>ZONING.</b>   <b>CASE #: C14-06-0057</b>  <b>ADDRESS: 4605 MANOR RD.</b>  <b>SUBJECT AREA (acres): 2.352</b> </div> <div> <b>DATE: 06-03</b>   <b>INTLS: TRC</b> </div> </div>	<b>CITY GRID</b> <b>REFERENCE</b> <b>NUMBER</b>  <b>124</b>
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# East MLK Combined Neighborhood Planning Area Future Land Use Map

A comprehensive plan shall not constitute zoning regulations or establish zoning district boundaries.

Updates may occur past the date of this map. Please verify with the COA.

## **SUMMARY STAFF RECOMMENDATION**

Staff recommends LR-MU-CO. The CO would limit trips to no more than 2000 vehicle trips per day.

## **BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)**

1. *Zoning changes should promote compatibility with adjacent and nearby uses and should not result in detrimental impacts to the neighborhood character.*

GR zoning would not be compatible with the surrounding SF-3 zoning and uses.

2. *The proposed zoning should be consistent with the purpose statement of the district sought.*

Community commercial (GR) district is the designation for an office or other commercial use that serves neighborhood and community needs and that generally is accessible from major traffic ways. While Manor Road is an arterial, the property's location mid block and the fact that it is almost 2000 feet from a major intersection (East 51<sup>st</sup> St) make this site inappropriate for GR zoning.

3. *The proposed zoning should be consistent with adopted neighborhood plans.*

The site falls within the adopted East MLK neighborhood plan. The plan calls for mixed use on the property and the zoning request would not require a plan amendment.

## **EXISTING CONDITIONS**

### **Site Characteristics**

The site zoned family residence – neighborhood plan (SF-3-NP). The request is for community commercial – mixed use – neighborhood plan (GR-MU-NP) combining district.

The site has been developed with a church. To the east and south are single family homes on SF-3-NP zoning. To the west lies the former Mueller Airport site. To the north is an undeveloped PUD site and more single family homes on SF-3-NP zoning.

### **Environmental**

The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the Tannehill Branch Creek Watershed of the Colorado River Basin, which is classified as an Urban Watershed by Chapter 25-8 of the City's Land Development Code. It is in the Desired Development Zone.

Impervious cover is not limited in this watershed class; therefore the zoning district impervious cover limits will apply.

This site is required to provide on-site structural water quality controls (or payment in lieu of) for all development and/or redevelopment when 5,000 s.f. cumulative is exceeded, and detention for the two-year storm. At this time, no information has been provided as to whether this property has any pre-existing approvals which would preempt current water quality or Code requirements.

According to flood plain maps, there is flood plain within the project area.

At this time, site-specific information is unavailable regarding existing trees and other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.

Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

### **Transportation**

No additional right-of-way is needed at this time.

The trip generation under the requested zoning is estimated to be 6,899 trips per day, assuming that the site develops to the maximum intensity allowed under the zoning classification (without consideration of setbacks, environmental constraints, or other site characteristics).

A traffic impact analysis was waived for this case because the applicant agreed to limit the intensity and uses for this development. If the zoning is granted, development should be limited through a conditional overlay to less than 2,000 vehicle trips per day. [LDC, 25-6-117]

### **Existing Street Characteristics:**

<b>Roadway</b>	<b>ROW</b>	<b>Pavement</b>	<b>Classification</b>
Manor Road	90'	44'	Arterial

There are no existing sidewalks along Manor Road adjacent to the subject tract. Manor Road is not classified in the Bicycle Plan. Capital Metro bus service is available along Manor Road.

### **Site Plan**

Site plans will be required for any new development other than single-family or duplex residential.

Any development which occurs in an SF-6 or less restrictive zoning district which is located 540-feet or less from property in an SF-5 or more restrictive zoning district will be subject to compatibility development regulations.

#### **Compatibility Standards**

The site is subject to compatibility standards. Along the south and east property lines, the following standards apply:

- No structure may be built within 25 feet of the property line.
- No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property line.
- No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the property line.
- No parking or driveways are allowed within 25 feet of the property line.
- A fence, berm, or dense vegetation must be provided to screen adjoining properties from views of parking, mechanical equipment, storage, and refuse collection.
- for a structure more than 100 feet but not more than 300 feet from property zoned SF-5 or more restrictive, 40 feet plus one foot for each 10 feet of distance in excess of 100 feet from the property zoned SF-5 or more restrictive.
- An intensive recreational use, including a swimming pool, tennis court, ball court, or playground, may not be constructed 50 feet or less from adjoining SF-3 property.

Additional design regulations will be enforced at the time a site plan is submitted.

#### **Water and Wastewater**

The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at own expense, will be responsible for providing the water and wastewater utility improvements, offsite main extension, system upgrades, utility adjustments, and relocation. The water and wastewater utility plan must be reviewed and approved by the Austin Water Utility. The plan must be in accordance with the City design criteria. The water and wastewater utility construction must be inspected by the City. The landowner must pay the associated and applicable City fees.